

Welcome to the very first e-mail newsletter from DNR's Remediation and Redevelopment (RR) Program!

DNR FEE RULE EFFECTIVE FOR RR PROGRAM

Chapter NR 749, "Fees for Providing Assistance; Remediation and Redevelopment Program", was adopted by the Natural Resources Board on August 26, 1998 as an emergency rule. The rule establishes fees for technical review services requested by those undertaking cleanup of contaminated properties. The rule became effective Tuesday, September 8, 1998.

The rule establishes a new direction in funding DNR staff in the Remediation and Redevelopment (RR) program. Up to now the RR Program has relied on federal grants to provide most staff funding. However, over the last several years cutbacks in the federal leaking underground storage tank (LUST) grant resulted in a reduction of 33 staff positions. The 1997-99 state budget bill addressed this reduction by allocating 7 new program revenue funded positions to the RR Program, bringing the total to 10. These positions will be funded by fees collected for review of technical documents submitted by those investigating and cleaning up environmental contamination.

Payment of a fee is required if the applicant specifically requests department assistance. For example, if a property owner submits a site investigation workplan and wants a technical review and approval, a \$500 payment must accompany the workplan. If the property owner is submitting the workplan simply to comply with NR 700 administrative rule requirements and does not expect a response, no fee is necessary. In that case, the cover letter should indicate that a response is not expected. If a request for case close-out is submitted, a \$750 review fee must be included to receive a written response. Fees are based on the average amount of time necessary to perform the review.

A complete copy of the emergency fee rule is posted on the RR program's web site at <http://www.dnr.state.wi.us/org/aw/rr>, or call the RR program's publication order number, 608-264-6009, and request a copy of the fee rule. Fee rule implementation guidance is also available on the web site, or by calling the publication order number asking for publication # RR-605.

Some of the fees are for new review services created in the 1997-99 state budget. A description of these services is also available on the web in the "Summary of Wisconsin's New Brownfields Programs and Initiatives" (on-line publications, technical assistance page). The overview of new review services can also be ordered by requesting publication # RR-563.

DNR AND COMMERCE INITIATE LUST SITE ASSIGNMENT PROJECT

In a July 31, 1998 letter to PECFA consultants, the Departments of Natural Resources and Commerce initiated a pilot project for assignment of LUST and LAST sites to the agencies. The pilot is intended to streamline submittals and reviews in the agencies. Previously, consultants sent all site investigation reports for leaking underground and above-ground petroleum storage tank sites to DNR. DNR then

transferred reports which did not include groundwater contamination to Commerce for oversight. Under the pilot, consultants send site investigation reports directly to Commerce if the site does not have groundwater contamination above the preventive action level (PAL). If there is a groundwater contaminant for which no PAL has been established, or if some of the contamination is not petroleum, the report should be sent to DNR.

A copy of the transmittal letter, including the BRRTs tracking number, must be sent to the DNR regional office for each report sent to Commerce. This will allow DNR to note that the site is assigned to Commerce in the site tracking database. If site investigation reports are mailed to the wrong agency, the agencies will transfer the files. DNR and Commerce will evaluate the success of the pilot project in March.

Laurie